

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

CAROL WENGER, CHERYL WENGER,  
RICHARD FELSCH III, and JAMES  
WOODARD as Guardian ad Litem  
for T.W., a minor,

Plaintiffs,

vs.

STATE OF WASHINGTON, et. al,

Defendants.

NO. CV-11-222-JLQ

STIPULATED JUDGMENT  
FOR CAROL WENGER

**1. JUDGMENT SUMMARY**

Judgment Creditor(s): Carol Wenger

Judgment Creditor(s)' Attorney(s): Allen M. Ressler and Timothy R. Tesh

Judgment Debtor: State of Washington

Judgment Amount: \$1,600,000.00

Pre-Judgment Interest: \$0.00

Post-Judgment Interest: \$0.00

Taxable Costs and Attorney Fees: \$0.00

**FINDINGS, CONCLUSIONS AND ORDER**

THIS MATTER came regularly on before the undersigned judge of the above-entitled Court. Plaintiff Carol Wenger appeared by and through her attorneys Allen M. Ressler and Timothy R. Tesh of Ressler & Tesh, PLLC. The Defendants, State of Washington, and its Department of Social and Health Services, appeared by and through Robert M. McKenna, Attorney General, and Carl P. Warring, Assistant Attorney General.

These parties have made a stipulation pursuant to RCW 4.92.150, without any admissions of liability, settling and compromising this action against Defendant State of Washington and allowing for dismissal of this action with prejudice against Defendant Edith Vance (a copy of the Agreement is on file and incorporated herein by reference). It appearing to the Court, after a review of the Agreement and the files and records herein, that the sum of One Million Six Hundred Thousand and No/100 Dollars (\$1,600,000.00) is the agreed sum to be paid by the Defendant State of Washington to the Plaintiff and the parties agree said sum is reasonable.

IT IS HEREBY ORDERED that the settlement Agreement is approved by the Court, and that the Plaintiff Carol Wenger shall have judgment against the Defendant State of Washington, Department of Social and Health Services for the total sum of One Million Six Hundred Thousand and No/100 Dollars (\$1,600,000.00) to be paid in accordance with the Release and Settlement Agreement.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all claims against Defendant Edith Vance are dismissed with prejudice and without any award of costs or fees.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that any liens, subrogated interests, or outstanding medical bills of which Plaintiff's counsel has actual or constructive

1 notice prior to court approval of this settlement shall be resolved out of these gross amounts,  
2 and Defendants shall have no liability for any such liens, interest, or bills.  
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4 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that neither party shall  
5 recover against any other party their respective fees, costs, or interest herein.

6 DONE IN OPEN COURT this 27th day of November, 2012.

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8 s/ Justin L. Quackenbush  
9 JUSTIN L. QUACKENBUSH  
10 SENIOR UNITED STATES DISTRICT JUDGE  
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